

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2013 – 149

AN ORDINANCE ADOPTED UNDER THE HOME RULE POWERS SPECIFICALLY GRANTED TO THE GOVERNING AUTHORITY OF CLAYTON COUNTY PURSUANT TO ARTICLE IX, SECTION II, PARAGRAPH I (B)(1) OF THE CONSTITUTION OF THE STATE OF GEORGIA OF 1983, AMENDING THE LOCAL ACT OF THE GENERAL ASSEMBLY CREATING AND COMPOSING THE CLAYTON COUNTY BOARD OF COMMISSIONERS AND SETTING FORTH THE GENERAL PROVISIONS GOVERNING CLAYTON COUNTY GOVERNMENT; TO AMEND THE CLAYTON COUNTY CODE OF ORDINANCES, AS AMENDED, SPECIFICALLY PART I, ARTICLE II, SECTION 2-4 “MEETINGS”, PART II, CHAPTER 2, ARTICLE I, SECTION 2-4 – “MEETINGS”, PART II, CHAPTER 2, ARTICLE II, SECTION 2-32 “DAYS, TIME AND PLACE OF ZONING MEETINGS”, AND SECTION 2-34 “DAYS, TIME OF BUSINESS MEETINGS”; TO REMOVE CONFLICTING LANGUAGE CONTAINED ELSEWHERE WITHIN THE CLAYTON COUNTY CODE OF ORDINANCES; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County, Georgia is governed by an Act of the General Assembly of the State of Georgia, which was originally established and approved on February 8, 1955, and was amended and restated by Ga. L. 1983, p. 4503, and approved on March 29, 1983 (the “Act”) as amended; and

WHEREAS, the Clayton County Board of Commissioners now desires to amend the Act to establish and clarify its meeting times.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY ORDAINED:

PART I. ENACTMENT

Section 1. By the authority granted to the Clayton County Board of Commissioners pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia of 1983, the Board of Commissioners hereby amends the Act originally established and adopted at Ga. L. 1955, p. 2064, and amended and restated by Ga. L. 1983, p. 4503, as amended, in the following particulars:

By deleting Part I "Related Laws Pertaining to Clayton County", Article II "Board of Commissioners", Section 2-4 "Meetings" in its entirety and by replacing it with a new Section 2-4 which reads as follows:

Sec. 2-4. - Meetings.

The board of commissioners shall hold regular meetings on the first and third Tuesday of each month at its offices located at 112 Smith Street, Jonesboro, Georgia, unless postponed to a subsequent date by action taken at a regular meeting. Meetings shall be open to the public. The board of commissioners may hold such additional meetings as shall be necessary when called by the chairman or any three members of the board, provided the chairman and all board members shall have been notified at least three days in advance of such special meeting. Whenever any regular meeting of the board shall fall on a holiday, the meeting shall be held on the following day. No official action shall be taken by the board except in a meeting which is open to the public. Any three members of the board shall constitute a quorum, except that a lesser number shall be sufficient to recess or adjourn any meeting; but no official action shall be taken except upon the affirmative vote of at least three members of the board. The chairman shall be entitled to the same voting rights as other board members on questions considered by the board. All zoning meetings shall be conducted as part of the regular business meeting on the third Tuesday of each month beginning at 7:00 p.m.

By deleting Part II "Code of Clayton County, Georgia", Chapter 2 "Administration", Article I "In General", Section 2-4 "Meetings" in its entirety and by replacing it with a new Section 2-4 which reads as follows:

Sec. 2-4. - Meetings.

The board of commissioners shall hold regular meetings on the first and third Tuesday of each month at 7:00 p.m. at its offices located at 112 Smith Street, Jonesboro, Georgia, unless postponed to a subsequent date by action taken at a regular meeting. Meetings shall be open to the public. The board of commissioners

may hold such additional meetings as shall be necessary when called by any three members of the board (which may include the chairman), provided the chairman and all board members shall have been notified at least 24 hours in advance of such special meeting. Whenever any regular meeting of the board shall fall on a holiday, the meeting shall be held on the following day. No official action shall be taken by the board except in a meeting which is open to the public. Any three members of the board shall constitute a quorum, except that a lesser number shall be sufficient to recess or adjourn any meeting; but no official action shall be taken except upon the affirmative vote of at least three members of the board. The chairman shall be entitled to the same voting rights as other board members on questions considered by the board. All zoning meetings shall be conducted as part of the regular business meeting on the third Tuesday of each month beginning at 7:00 p.m.

By deleting Part II “Code of Clayton County, Georgia”, Chapter 2 “Administration”, Article II “Board of Commissioners”, Section 2-32 “Days, Time and Place of Zoning Meetings” in its entirety and by replacing it with a new Section 2-32 which reads as follows:

Sec. 2-32. - Days, time and place of zoning meetings.

The board of commissioners will hold its regular scheduled meeting for consideration of matters pertaining to zoning on the third Tuesday of each month at 7:00 p.m. at 112 Smith Street, Jonesboro, Georgia.

By deleting Part II “Code of Clayton County, Georgia”, Chapter 2 “Administration”, Article II “Board of Commissioners”, Section 2-34 “Days, Time of Business Meetings” in its entirety.

PART II. EFFECTIVE DATE

This Ordinance shall become effective upon adoption by the Clayton County Board of Commissioners.

PART III. SEVERABILITY

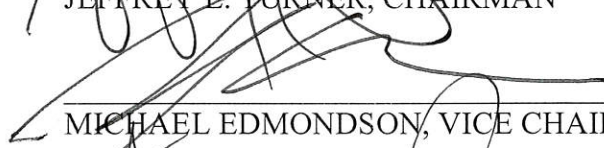
Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the Ordinance as a whole nor any part thereof other than the part so declared to be invalid or unconstitutional. All Ordinances or Resolutions, or parts thereof, in conflict with this Ordinance are repealed.

SO ORDAINED this 18th day of June, 2013.

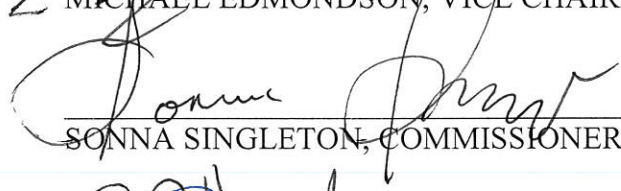
CLAYTON COUNTY BOARD OF COMMISSIONERS



JEFFREY E. TURNER, CHAIRMAN



MICHAEL EDMONDSON, VICE CHAIRMAN



SONNA SINGLETON, COMMISSIONER



GAIL B. HAMBRICK, COMMISSIONER



SHANA M. ROOKS, COMMISSIONER

ATTEST:



SHELBY D. HAYWOOD, CLERK